

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Christopher R. McQueen**  
**Dana L. McQueen**  
Debtor(s)

Bankruptcy Case No.: 16-22476-CMB  
Issued Per Dec. 21, 2017 Proceeding  
Chapter: 13  
Docket No.: 49 – 43, 45  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 6, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,310 as of January 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: January 8, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 6**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Christopher R. McQueen  
 Dana L. McQueen  
 Debtors

Case No. 16-22476-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 3  
 Total Noticed: 39

Date Rcvd: Jan 08, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 10, 2018.

db/jdb +Christopher R. McQueen, Dana L. McQueen, 1282 Kecksburg Road,  
 Mount Pleasant, PA 15666-3649  
 14254760 +ACC, 921 Oak Street, Scranton, PA 18508-1235  
 14254761 Aes/Pheaa, Student Loan Service Center, Harrisburg, PA 17105  
 14254766 +Andrew F. Gornall, Esquire, Goldbeck, McCafferty & McKeever, 701 Market Street,  
 Suite 5000, Philadelphia, PA 19106-1541  
 14254767 +BAC Home Loans Servicing, 450 American Street, Simi Valley, CA 93065-6285  
 14254770 +Diversified Collection, Po Box 200, Greensburg, PA 15601-0200  
 14254771 +Dp Of Educ, 2505 S Finley Rd, Lombard, IL 60148-4867  
 14254773 +ECMC, PO Box 16408, Saint Paul, MN 55116-0408  
 14254775 +I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378  
 14254777 +KML Law Group, 701 Market St Ste 5000, Philadelphia, PA 19106-1541  
 14277621 ++NATIONSTAR MORTGAGE LLC, PO Box 619096, DALLAS TX 75261-9096  
 (address filed with court: Nationstar Mortgage LLC, ATTN: Bankruptcy Department,  
 P.O. Box 619096, Dallas, TX 75261-9741)  
 14254783 ++NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366  
 (address filed with court: Nissan-Infiniti, 2901 Kinwest Parkway, Irving, TX 75063)  
 14254780 Nco Fin/55, Po Box 13570, Philadelphia, PA 19101  
 14254788 +Sears, Po Box 6189, Sioux Falls, SD 57117-6189  
 14254789 +Strategic Recovery Gro, 7880 Bent Branch Dr Ste, Irving, TX 75063-6002  
 14266568 ++T MOBILE, C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901  
 (address filed with court: T Mobile, 12920 SE 38th Street, Bellevue, WA 98006)  
 14254791 +U.S. Department Of Education, Po Box 5609, Greenville, TX 75403-5609  
 14323616 UPCI Cancer Services, PO Box 1123, Minneapolis, MN 55440-1123  
 14266571 UPMC, PO Box 371842, Pittsburgh, PA 15250-7842  
 14254792 +UPMC Magee-Womens Hospital of UPMC, PO Box 382059, Pittsburgh, PA 15250-0001  
 14254793 UPMC Presbyterian Hospital, Billing Department, PO Box 655, Vandalia, OH 45377-0655  
 14334355 US Department of Education, PO Box 16448, St. Paul, MN 55116-0448  
 14323615 University of Pittsburgh Physicians, PO Box 1123, Minneapolis, MN 55440-1123  
 14254794 +Vantium Capital, 7880 Bent Branch Road, Irving, TX 75063-6002

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14254762 +E-mail/Text: EBNProcessing@afni.com Jan 09 2018 02:00:18 Afni, Po Box 3097,  
 Bloomington, IL 61702-3097  
 14254763 +E-mail/Text: seinhorn@ars-llc.biz Jan 09 2018 02:00:54 Am Cred& Col, Pob 264,  
 Taylor, PA 18517-0264  
 14254764 +E-mail/Text: seinhorn@ars-llc.biz Jan 09 2018 02:00:54 American Credit & Collections,  
 PO Box 264, Taylor, PA 18517-0264  
 14254765 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Jan 09 2018 02:03:00 American Info Source Lp,  
 Post Office Box 248848, Oklahoma City, OK 73124-8848  
 14254768 +E-mail/PDF: resurgentbknotifications@resurgent.com Jan 09 2018 02:03:19  
 Cacv Of Colorado Llc, 370 17th Street Suite 5000, Denver, CO 80202-5616  
 14254769 E-mail/Text: Bankruptcy.Consumer@dish.com Jan 09 2018 02:00:05 Dish Network, Dept. 9235,  
 Palatine, IL 60055-9235  
 14254772 +E-mail/Text: lweidhaas@dyckoneal.com Jan 09 2018 02:00:08 Dyck-O'Neal, Inc, PO Box 13370,  
 Arlington, TX 76094-0370  
 14254774 +E-mail/Text: bknotice@erccollections.com Jan 09 2018 02:00:15 Enhanced Recovery Co L,  
 8014 Bayberry Rd, Jacksonville, FL 32256-7412  
 14254776 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Jan 09 2018 02:00:27 Jefferson Capital Systems,  
 PO Box 7999, Saint Cloud, MN 56302-9617  
 14254778 E-mail/PDF: resurgentbknotifications@resurgent.com Jan 09 2018 02:02:55 LVNV Funding,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 14254781 +E-mail/Text: egssupportservices@alorica.com Jan 09 2018 02:00:20 Nco Financial,  
 507 Prudential Road, Horsham, PA 19044-2308  
 14254782 +E-mail/Text: electronicbkydocs@nelnet.net Jan 09 2018 02:00:14 Nelnnet Loans, Po Box 1649,  
 Denver, CO 80201-1649  
 14254784 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jan 09 2018 02:16:05  
 Portfolio Recovery, Po Box 41067, Norfolk, VA 23541  
 14254785 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jan 09 2018 02:16:15  
 Pra Receivables Management, LLC, As Agent of Portfolio Recovery Assocs., P.O. Box 41067,  
 Norfolk, VA 23541-1067  
 14254787 E-mail/Text: bnc-quantum@quantum3group.com Jan 09 2018 01:59:50 Quantum3 Group LLC,  
 P.O. Box 788, Kirkland, WA 98083-0788

TOTAL: 15

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*  
 cr NATIONSTAR MORTGAGE LLC

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 3  
Total Noticed: 39

Date Rcvd: Jan 08, 2018

14266538\* +ACC, 921 Oak Street, Scranton, PA 18508-1235  
14266539\* Aes/Pheaa, Student Loan Service Center, Harrisburg, PA 17105  
14266540\* +Afni, Po Box 3097, Bloomington, IL 61702-3097  
14266541\* +Am Cred& Col, Pob 264, Taylor, PA 18517-0264  
14266542\* +American Credit & Collections, PO Box 264, Taylor, PA 18517-0264  
14266543\* American Info Source Lp, Post Office Box 248848, Oklahoma City, OK 73124-8848  
14266544\* +Andrew F. Gornall, Esquire, Goldbeck, McCafferty & McKeever, 701 Market Street,  
Suite 5000, Philadelphia, PA 19106-1541  
14266545\* +BAC Home Loans Servicing, 450 American Street, Simi Valley, CA 93065-6285  
14266546\* +Cacv Of Colorado Llc, 370 17th Street Suite 5000, Denver, CO 80202-5616  
14266547\* Dish Network, Dept. 9235, Palatine, IL 60055-9235  
14266548\* +Diversified Collection, Po Box 200, Greensburg, PA 15601-0200  
14266549\* +Dp Of Educ, 2505 S Finley Rd, Lombard, IL 60148-4867  
14266550\* +Dyck-O'Neal, Inc, PO Box 13370, Arlington, TX 76094-0370  
14266551\* +ECMC, PO Box 16408, Saint Paul, MN 55116-0408  
14266552\* +Enhanced Recovery Co L, 8014 Bayberry Rd, Jacksonville, FL 32256-7412  
14266553\* +I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378  
14266554\* ++JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999  
(address filed with court: Jefferson Capital Systems, PO Box 7999,  
Saint Cloud, MN 56302-9617)  
14266555\* +KML Law Group, 701 Market St Ste 5000, Philadelphia, PA 19106-1541  
14266556\* LVNV Funding, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
14254779\* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
(address filed with court: Nationstar Mortgage, LLC, Po Box 619096, Dallas, TX 75235)  
14266557\* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
(address filed with court: Nationstar Mortgage, LLC, Po Box 619096, Dallas, TX 75235)  
14266561\* ++NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366  
(address filed with court: Nissan-Infiniti, 2901 Kinwest Parkway, Irving, TX 75063)  
14266558\* Nco Fin/55, Po Box 13570, Philadelphia, PA 19101  
14266559\* +Nco Financial, 507 Prudential Road, Horsham, PA 19044-2308  
14266560\* +Nelnet Loans, Po Box 1649, Denver, CO 80201-1649  
14266562\* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067  
(address filed with court: Portfolio Recovery, Po Box 41067, Norfolk, VA 23541)  
14266563\* +Pra Receivables Management, LLC, As Agent of Portfolio Recovery Assocs., P.O. Box 41067,  
Norfolk, VA 23541-1067  
14266564\* +Protocol Recovery Service Inc., 509 Mercer Avenue, Panama City, FL 32401-2631  
14266565\* Quantum3 Group LLC, P.O. Box 788, Kirkland, WA 98083-0788  
14266566\* +Sears, Po Box 6189, Sioux Falls, SD 57117-6189  
14266567\* +Strategic Recovery Gro, 7880 Bent Branch Dr Ste, Irving, TX 75063-6002  
14254790\* ++T MOBILE, C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901  
(address filed with court: T- Mobile, P.O. Box 53410, Bellevue, WA 98015-5341)  
14266569\* ++T MOBILE, C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901  
(address filed with court: T- Mobile, P.O. Box 53410, Bellevue, WA 98015-5341)  
14266570\* +U.S. Department Of Education, Po Box 5609, Greenville, TX 75403-5609  
14266572\* +UPMC Magee-Womens Hospital of UPMC, PO Box 382059, Pittsburgh, PA 15250-0001  
14266573\* UPMC Presbyterian Hospital, Billing Department, PO Box 655, Vandalia, OH 45377-0655  
14266574\* +Vantium Capital, 7880 Bent Branch Road, Irving, TX 75063-6002  
14254786 ##+Protocol Recovery Service Inc., 509 Mercer Avenue, Panama City, FL 32401-2631  
TOTALS: 1, \* 37, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner  
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social  
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required  
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 10, 2018

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: jhel  
Form ID: 149

Page 3 of 3  
Total Noticed: 39

Date Rcvd: Jan 08, 2018

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 8, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Paul W. McElrath, Jr. on behalf of Joint Debtor Dana L. McQueen ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Paul W. McElrath, Jr. on behalf of Debtor Christopher R. McQueen ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6